

Developer suspects planning dept. 'leaks'

By BUD O'BRIEN

The developers who have ambitious plans for the Porter-Sesnon property in Aptos are suspicious that enemies of their proposal are receiving unauthorized — and perhaps misleading — information from employees of the county planning department.

Specifically, a representative of the developers told the Board of Supervisors Tuesday, he is concerned about statements regarding the project's environmental impact report (EIR) that were made recently by a newspaper columnist who is adamantly opposed to private development of the Porter-Sesnon property.

Skip Morris, a representative of Conference Associates, which wants to develop the 66-acre site along the ocean across the freeway from Cabrillo College, told supervisors that columnist Bruce

Bratton had written recently that the EIR being compiled to determine the impact of the developer's proposal has "lots of holes in it."

What concerned him and his company, Morris said, was Bratton's statement that he had learned about the EIR from "a secret source" — presumably within the planning department, which has responsibility for EIRs.

Morris noted that while his firm is paying for the EIR, it has nothing to do with its actual preparation, and is in fact forbidden access to the draft of the report until it has been accepted by the planning department and subjected to public hearings.

"You (the county) hire and manage the consultants in the process," Morris told the supervisors.

But, said Morris, the implication of the newspaper report in question was that Conference Associates (a subsidiary of

the Palo Alto development firm of Hare, Brewer and Kelley) controls the preparation of the report, and thus is responsible for erroneous or misleading material that might appear in the report.

But Morris said all he knows about the actual EIR draft is what he read in Bratton's column, which appears in the weekly Santa Cruz Express.

"We've been told neither we nor anyone outside (county staff) can see it," Morris said.

Consequently, he said, he'd like to know whether (1) some of the comments Bratton made about the EIR draft were true, and (2) how Bratton got his information.

Morris said, for example, that Bratton reported that the traffic study used for the EIR was made at night and while Cabrillo College was not in session. Morris said if that were true it would certainly not be in line with the sort of

traffic study his company would desire.

He said he'd asked the county staff if the report were true and had requested that if it weren't true "Mr. Bratton should be informed." Morris said he'd not received a reply yet.

Morris told the supervisors that the incident demonstrated that perhaps steps ought to be taken "to open up the matter (the preparation of an EIR) entirely" so that it would not be subjected to leaks, or be used as a propaganda tool.

"This kind of disinformation is a real disservice to the EIR process," Morris said, adding that the supervisors, as the chief legislative body of the county, had a duty to look into the matter.

Morris' statements to the board echoed complaints that his boss, Ryland Kelley, had been making for some time. Kelley told the Register-Pajaronian that this county's EIR process does not allow the applicant (who's paying for it) to have

input in the process, even though, he noted, most people look on the EIR as being a sort of brief for the developer.

Planning Director Kris Schenk said after Morris' complaints Tuesday that, while he was unaware of any "leaks" to Bratton or anybody else, it was common knowledge that the EIR draft submitted by the consulting firm of Coats Consulting of Capitola contained flaws. However, he said this wasn't unusual in a first draft submission and it was common for such drafts to be sent back for further refinement.

Schenk agreed that the EIR was prepared under the supervision of the county, not of the developer, so that it will remain free of the control of the applicant. He observed that Bratton's comments in his newspaper column were indicative of his (Bratton's) ignorance of the process.